

Notice of Allowability	Application No.	Applicant(s)	
	09/758,738	MORIARTY, LARRY	
	Examiner David J Parsley	Art Unit 3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to applicant's amendment dated 4-5-04.
2. The allowed claim(s) is/are 1,2,4-16,18-21 and 23-26.
3. The drawings filed on 01 August 2003 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: the limitations of, "...telescopic connector means including a tubular support and a rod received therein telescopically connecting said trolley support to said bird carrier and suspending said bird carrier from said trolley support; said telescopic connector means configured for applying a weight to the weighing scale track consisting essentially of the weight of said bird carrier, said trolley, and the carcass, but without the weight of the turning means, in response to said shackle assembly engaging the weighing scale track..." in claim 1, the limitations of, "...said turning means including a pin for indicating an angular position of the turning means..." in claims 6 and 18, the limitations of, "...turning means, mounted to said trolley support, for rotating said trolley support and said trolley together with said bird carrier, in response to engagement by a cam along the processing path and connector means telescopically connecting said bird carrier to said trolley support; said connector means configured for applying a weight to the weighing scale consisting essentially of the weight of said bird carrier, said trolley and the carcass, when said shackle assembly engages the weighing scale..." in claim 7, the limitations of, "...in response to passing the trolley over the weighing scale, telescopically lifting the trolley, the bird carrier and the bird carcass with respect to the trolley support and the turning means; and applying with the trolley a weight to the weighing scale consisting essentially of the weight of the bird carrier, the trolley and the carcass but without the weight of the trolley support and turning means, as the carcass passes over the scale..." in claim 19, the limitations of, "...a telescopic connector that couples said upper rod assembly to said lower rod assembly, said telescopic connector comprising a

tubular support longitudinally attached to a lower end of said upper rod....wherein upon slideable vertical movement upward of said wheel axle, the weight measured by the weighing scale consists essentially of the weight of said lower rod assembly together with suspended carcass, but without the weight of the upper rod and turning means..." in claim 23 and the limitations of, "...a telescopic connector comprising said tubular support defining a central passage configured to slideably receive said upper rod...such that when the trolley is lifted by the weight scale and upon slideable vertical movement upward of said wheel axle, the weight applied by the trolley to the weighing scale consists essentially of the weight of said tubular support assembly and the trolley together with suspended carcass but without the weight of the upper rod assembly..." in claim 25 are not found in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J Parsley whose telephone number is (703) 306-0552. The examiner can normally be reached on 9hr compressed.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (703) 308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DP

David Parsley
Patent Examiner
Art Unit 3643

Peter M. Poon

**PETER M. POON
SUPERVISORY PATENT EXAMINER**

6/23/04